

Notice of Allowability

Application No.

10/022,090

Examiner

Ula C Ruddock

Applicant(s)

WELCH ET AL.

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/16/03.
2. ☒ The allowed claim(s) is/are 1,3,4,6-14,16 and 18-20.
3. ☒ The drawings filed on 17 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/16/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte* Quayle, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on October 16, 2003, has been entered.

Information Disclosure Statement

2. The information disclosure statement filed October 16, 2003, has been considered by the Examiner.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tim Cassidy on September 3, 2004.

The application has been amended as follows:

****Amend claims 1, 9, 12, 18 as follows:**

1. (Currently Amended) A nonwoven material comprising:

individual polymer fibers arranged in a predefined pattern wherein adjacently-located individual fibers overlap to form an organized structure and wherein said predefined pattern has the majority of said individual fibers lying in either a relatively machine-direction orientation, a relatively cross-machine direction orientation, or relatively both a machine-direction and cross-machine direction orientation so as to form an organized structure of polymer fibers, wherein each of said individual polymer fibers does not overlap itself and contacts no more than ~~four~~ one other adjacently-located individual polymer ~~fibers~~ fiber.

9. (Currently Amended) A laminate comprising:

at least two facings adhered together by an adhesive layer;

said adhesive layer comprising individual polymer fibers arranged in a predefined pattern wherein adjacently-located individual fibers overlap to form an organized structure, said individual polymer fibers containing a tackifier, and wherein said predefined pattern has the majority of said individual fibers lying in either a relatively machine-direction orientation, a relatively cross-machine direction orientation, or relatively both a machine-direction and cross-machine direction orientation so as to form an organized structure of polymer fibers, wherein each of said individual polymer fibers does not overlap itself and contacts no more than four other adjacently-located polymer fibers.

¹³
~~12.~~ (Currently Amended) A nonwoven material comprising:

individual polymer fibers arranged in a predefined pattern wherein at least two of said fibers are joined to create an overlapping bonded structure, wherein each of said individual polymer fibers

Art Unit: 1771

does not overlap itself and contacts no more than ~~four~~ one other adjacently-located individual polymer fibers fiber.

~~16~~¹⁸. (Currently Amended) A nonwoven material comprising:

individual polymer fibers arranged in a predefined pattern wherein adjacently-located individual fibers overlap to form an organized structure and wherein each of said individual fibers in said predefined pattern has concurrently a machine-direction orientation component and a cross-machine direction orientation component so as to form an organized structure of polymer fibers, the polymer fibers comprising a tackified composition, and wherein each of said individual polymer fibers does not overlap itself.

****Add the following new claims:**

~~7~~¹⁹. (New) A laminate containing the nonwoven material defined in claim 1.

~~8~~²⁰. (New) A laminate as defined in claim ~~19~~⁷ wherein the laminate includes at least two facings adhered together by an adhesive layer, the adhesive layer comprising the nonwoven material.

****Cancel claims 15 and 17.**

Reasons for Allowance

4. Claims 1, 3, 4, 6-14, 16, and 18-20 are allowed.

5. The following is an examiner's statement of reasons for allowance: the present Examiner's amendment overcomes all prior rejections, including the newly cited references in the Information Disclosure Statement. No prior art was found to teach or suggest a nonwoven material comprising

Art Unit: 1771

individual polymer fibers arranged in a predefined pattern wherein each of said individual polymer fibers does not overlap itself and contacts no more than one other adjacently-located individual polymer fiber.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ula C Ruddock whose telephone number is 571-272-1481. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H. Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UCR *UCR*

Ula Ruddock
ULA RUDDOCK
PRIMARY EXAMINER